

A bill for an act

relating to data practices; regulating employment and training data; classifying data; defining terms; amending Minnesota Statutes 2008, section 13.47, subdivisions 1, 2, 3, 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 13.47, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) "Employer data" means data on an employer's operations, policies, and workforce related needs, and data on the recommendations received by and the services provided to an employer by a provider of employment training services, to address an employer's workforce related needs, which is collected, maintained, used, or disseminated because an employer pays for services provided or applies for, is currently enrolled in, or has been enrolled in employment and training programs under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

(b) "Employment and training data" means data on individuals collected, maintained, used, or disseminated because an individual or an individual's current or former employer pays for services provided or applies for, is currently enrolled in, or has been enrolled in employment and training programs funded with federal, state, or local resources, including those provided under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

~~(b)~~ (c) "Employment and training service provider" means an entity certified, or seeking to be certified, by the commissioner of employment and economic development to deliver employment and training services under section 116J.401, subdivision 2, or an organization that contracts with a certified entity or the Department of Employment and Economic Development to deliver employment and training services.

~~(e)~~(d) "Provider of training services" means an organization or entity that provides training under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

Sec. 2. Minnesota Statutes 2008, section 13.47, subdivision 2, is amended to read:

Subd. 2. **Classification.** (a) Employment and training data are private data on individuals.

(b) Employer data are nonpublic data.

Sec. 3. Minnesota Statutes 2008, section 13.47, subdivision 3, is amended to read:

Subd. 3. **Dissemination.** Employer data and employment and training data may be disseminated by employment and training service providers:

~~(a)~~(1) to other employment and training service providers to coordinate the employment and training services for the data subject or to determine eligibility or suitability for services from other programs;

~~(b)~~(2) to local and state welfare agencies for monitoring the eligibility of the participant for assistance programs, or for any employment or training program administered by those agencies; and

~~(c)~~(3) to the commissioner of employment and economic development.

Sec. 4. Minnesota Statutes 2008, section 13.47, subdivision 4, is amended to read:

Subd. 4. **Data preparation.** To produce data required to certify the eligibility of training service providers under the Workforce Investment Act of 1998, United States Code, title 29, section 2801, or other studies required by law, the commissioner of employment and economic development may enter into a data exchange agreement with a training service provider whereby the commissioner of employment and economic development shall furnish to the provider wage information under section 268.044 on individuals or current or former employees of an employer who have received training services from the provider. The provider shall use this wage information to prepare summary data determined necessary by the commissioner. The provider may use this wage information for conducting studies to improve instruction.